

H.R.235

Social Security Fairness Act of 2009 (Introduced in House)
HR 235 IH

111th CONGRESS
1st Session
H. R. 235

To amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

IN THE HOUSE OF REPRESENTATIVES

January 7, 2009

Mr. BERMAN (for himself, Mr. MCKEON, Mr. GRIJALVA, Mr. CHANDLER, Mr. SIRES, Mrs. CAPPS, Mr. ENGEL, Ms. DEGETTE, Mr. VAN HOLLEN, Mr. JOHNSON of Georgia, Mr. KLEIN of Florida, Mr. WAXMAN, Mr. SHERMAN, Mr. PALLONE, Mr. RODRIGUEZ, Ms. LINDA T. SANCHEZ of California, Mr. KENNEDY, Mr. FILNER, Mr. TIERNEY, Ms. WOOLSEY, Mr. REYES, Mr. MELANCON, Mr. RUPPERSBERGER, Mr. LEWIS of Georgia, Mr. FARR, Mr. BURTON of Indiana, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. SPACE, Ms. MCCOLLUM, Mrs. BIGGERT, Mr. PETRI, Ms. BORDALLO, Ms. SCHWARTZ, Mr. LARSON of Connecticut, Mr. CARNAHAN, Mr. MCCAUL, Mr. HOLT, Mr. CAPUANO, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. HINCHEY, Mr. BROWN of South Carolina, Ms. SUTTON, Mr. KAGEN, Mr. MCCOTTER, Ms. SCHAKOWSKY, Mr. WILSON of South Carolina, Mr. ORTIZ, Mr. STARK, Mr. GEORGE MILLER of California, Mr. BACHUS, Mr. GALLEGLY, Mr. HELLER, Mr. DOGGETT, Mr. SCHIFF, Mr. HONDA, Mrs. TAUSCHER, Mr. BACA, Mr. YOUNG of Florida, Mr. GENE GREEN of Texas, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAUL, Mr. WELCH, Mr. CARNEY, Mr. BILBRAY, Mr. BOUSTANY, Mr. WU, Mr. CUELLAR, Mr. MATHESON, Ms. ZOE LOFGREN of California, Ms. BERKLEY, Ms. DELAURO, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. HARMAN, Mr. VISCLOSKEY, Mr. ACKERMAN, Mr. KUCINICH, Mr. FORBES, Mr. LANGEVIN, and Mr. MURPHY of Connecticut) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the `Social Security Fairness Act of 2009'.

SEC. 2. REPEAL OF GOVERNMENT PENSION OFFSET PROVISION.

(a) In General- Section 202(k) of the Social Security Act (42 U.S.C. 402(k)) is amended by striking paragraph (5).

(b) Conforming Amendments-

(1) Section 202(b)(2) of the Social Security Act (42 U.S.C. 402(b)(2)) is amended by striking `subsections (k)(5) and (q)' and inserting `subsection (q)'.

(2) Section 202(c)(2) of such Act (42 U.S.C. 402(c)(2)) is amended by striking `subsections (k)(5) and (q)' and inserting `subsection (q)'.

(3) Section 202(e)(2)(A) of such Act (42 U.S.C. 402(e)(2)(A)) is amended by striking `subsection (k)(5), subsection (q),' and inserting `subsection (q)'.

(4) Section 202(f)(2)(A) of such Act (42 U.S.C. 402(f)(2)(A)) is amended by striking `subsection (k)(5), subsection (q)' and inserting `subsection (q)'.

SEC. 3. REPEAL OF WINDFALL ELIMINATION PROVISIONS.

(a) In General- Section 215 of the Social Security Act (42 U.S.C. 415) is amended--

(1) in subsection (a), by striking paragraph (7);

(2) in subsection (d), by striking paragraph (3); and

(3) in subsection (f), by striking paragraph (9).

(b) Conforming Amendments- Subsections (e)(2) and (f)(2) of section 202 of such Act (42 U.S.C. 402) are each amended by striking `section 215(f)(5), 215(f)(6), or 215(f)(9)(B)' in subparagraphs (C) and (D)(i) and inserting `paragraph (5) or (6) of section 215(f)'.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to monthly insurance benefits payable under title II of the Social Security Act for months after December 2009.

Notwithstanding section 215(f) of the Social Security Act, the Commissioner of Social Security shall adjust primary insurance amounts to the extent necessary to take into account the amendments made by section 3.

